

EXHIBIT D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HELENA KRIZEK

Plaintiff,

Case No. 24-cv-07727-JHR

-against –

THE QUEENS MEDICAL CENTER, DR. CHERYLEE
CHANG, DR. THOMAS S. GALLACHER, DR.
NOBUHIRO ARIYOSHI, EDQUON LEE, ESQ.,
MARGARET WILLE AND ASSOCIATES LLC.,
MARGARET WILLE, ESQ., WILLIAM BORDNER ESQ.,
DR. HAO CHI HO , LEGACY OF LIFE HAWAII,
HAWAII STATE DEPARTMENT OF HEALTH, DR.
CHRISTOPHER HAPPY MEDICAL EXAMINER OF
HONOLULU, IN HIS OFFICIAL & INDIVIDUAL
CAPACITY.

**AFFIDAVIT OF WILLIAM
BORDNER IN SUPPORT OF
MOTION TO DISMISS**

Defendants.

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STATE OF HAWAII)
COUNTY OF HONOLULU) ss:
)

WILLIAM BORDNER, being duly sworn, deposes and says the following:

1. I am a Defendant in the above captioned matter and I make this Affidavit in Support of my attorney's motion to dismiss the above action against me pursuant to Fed.R.Civ.P. 12(b)(2) on the grounds that the Court lacks personal jurisdiction over me, and/or pursuant to Fed.R.Civ.P. 12(b)(3) for improper venue.

2. I am an attorney duly licensed and authorized to practice law in the state of Hawaii.

3. I have never practiced law, nor have I ever been licensed to practice law, in the State of New York. The only time I ever worked in New York was over 50 years ago, when I worked as a summer associate at Cahill Gordon in the summer of 1972.

4. I have resided in the City & County of Honolulu, State of Hawaii, continuously since 1973.

5. I am currently of counsel to Ashford & Wriston, A Limited Liability Law Partnership LLP, which maintains only one office, which is located at 999 Bishop Street, Honolulu, Hawaii.

6. Previously, I was a shareholder and officer of Burke McPheeters Bordner & Estes AAL ALC, from 1980 to December 31, 2019, when the firm closed its office and wound-up its practice. Articles of Dissolution were filed August 24, 2021.

7. Burke McPheeters Bordner & Estes had always maintained just one physical office, which was located at 119 Merchant St., Suite 200, Honolulu, Hawaii.

8. My previous firms almost exclusively represented Hawaiian residents, Hawaiian businesses, and other clients who have legal matters in Hawaii, and the same is true of Ashford & Wriston.

9. I represented Dr. Nobuhiro Ariyoshi and the Hawaii Residency Programs, Inc. (incorrectly identified by plaintiff as Hawaii Residency Program) ("HRP") in *Helena Krizek v. Queens Medical Center, et al.*, No. 1:18-cv-00293-JMS-RLP, which was litigated and tried in the United States District Court for the District of Hawaii.

10. I do not advertise, solicit businesses, or engage in any other persistent course of conduct in jurisdictions outside of Hawaii.

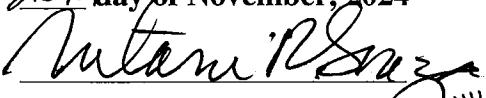
11. Revenue in my current and prior law firm is and was derived predominantly from my representation of clients located in Hawaii.

12. Because my representation of HRP and Dr. Nobuhiro Ariyoshi involved a Hawaiian program and Hawaii-resident regarding a medical malpractice lawsuit at trial in Hawaii, I never expected my representation would have consequences outside the State of Hawaii.

13. I do not own or have an interest in any real property situated in the state of New York.


WILLIAM BORDNER, ESQ.

Sworn to before me this
25th day of November, 2024



Uilani R. Souza

March 24, 2028

